



PATENT

Attorney's Docket No. EMF-101

Applicant : Markov, et al.

Serial or Patent No.:

Filed: Concurrently herewith

For: **METHOD AND APPARATUS FOR DETERMINING BIOLOGICALLY USEFUL
FIELD METRICS ASSOCIATED WITH MAGNETIC FIELDS**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b))--INDEPENDENT INVENTOR**

As a below named inventors, we hereby declare that we qualify as independent inventors as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled "METHOD AND APPARATUS FOR DETERMINING BIOLOGICALLY USEFUL FIELD METRICS ASSOCIATED WITH MAGNETIC FIELDS" described in

☒ the specification filed herewith.

☐ application serial no.

☐ patent no. , issued .

We have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which we have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern, or organization

☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME EMF Therapeutics, Inc.

ADDRESS Four Squares Business Center, 1200 Mountain Creek Road, Suite 160
Chattanooga, TN 37405

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

We acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

FILED OCT 24 2008

We hereby declare that statement made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dr. Marko Markov

Marko Markov

Signature of Inventor

Date: 2-28-01

Floyd E. Bouldin

Floyd Bouldin

Signature of Inventor

Date: 2-26-01

C. Douglas Williams

C. Douglas Williams

Signature of Inventor

Date: 2-28-01

Rick R. Wascher

Rick R. Wascher

Signature of Inventor

Date: 2/28/01

**DECLARATION AND POWER OF ATTORNEY--
ORIGINAL APPLICATION**

Attorney's Docket No. EMF-101

As a below-named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

| | | |
|----------------------|---|---|
| <i>Name:</i> | Dr. Marko Markov | Floyd E. Bouldin |
| <i>Residence:</i> | Chattanooga, TN | McMinnville, TN |
| <i>P.O. Address:</i> | EMF Therapeutics, Inc. Four Squares Business Center 1200 Mountain Creek Rd., Suite 160 Chattanooga, TN 37405 | EMF Therapeutics, Inc. Four Squares Business Center 1200 Mountain Creek Rd., Suite 160 Chattanooga, TN 37405 |
| <i>Name:</i> | C. Douglas Williams | Rick R. Wascher |
| <i>Residence:</i> | Signal Mountain, TN | Rock Island, TN |
| <i>P.O. Address:</i> | EMF Therapeutics, Inc. Four Squares Business Center 1200 Mountain Creek Rd., Suite 160 Chattanooga, TN 37405 | EMF Therapeutics, Inc. Four Squares Business Center 1200 Mountain Creek Rd., Suite 160 Chattanooga, TN 37405 |

Floyd E. Bouldin, C. Douglas Williams and Rick R. Wascher are citizens of the United States of America. Dr. Marko Markov is a citizen of Bulgaria lawfully residing and working in the United States of America.

We believe we are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention titled: entitled "METHOD AND APPARATUS FOR DETERMINING BIOLOGICALLY USEFUL FIELD METRICS ASSOCIATED WITH MAGNETIC FIELDS", the specification of which is attached hereto.

We hereby state that we have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge our duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sections 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

We hereby claim the benefit of the priority of the application(s) listed below under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

NONE

Power of Attorney: As a named inventor, we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number.)

Rick R. Wascher, Registration No. 35,404 or his designee.

Please send all correspondence and direct all communications to:

Rick R. Wascher
111 Laws Road
McMinnville, TN
37110
Phone: 931-668-4090, extension 325

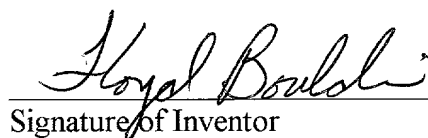
Dr. Marko Markov



Signature of Inventor

Date: 2-28-01

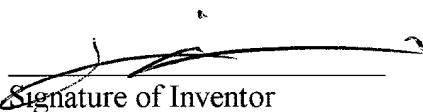
Floyd E. Bouldin



Signature of Inventor

Date: 2-26-01

C. Douglas Williams



Signature of Inventor

Date: 2-28-01

Rick R. Wascher



Signature of Inventor

Date: 2/28/01

Applicant or Patentee: Markov, et al.

Serial or Patent No.:

Filed: Concurrently herewithFor: "METHOD AND APPARATUS FOR DETERMINING BIOLOGICALLY USEFUL FIELD METRICS ASSOCIATED WITH MAGNETIC FIELDS"**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am a duly empowered official of the small business concern identified below:

FULL NAME EMF Therapeutics, Inc.ADDRESS Four Squares Business Center, 1200 Mountain Creek Road, Suite 160
Chattanooga, TN 37405

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the invention, titled "METHOD AND APPARATUS FOR DETERMINING BIOLOGICALLY USEFUL FIELD METRICS ASSOCIATED WITH MAGNETIC FIELDS" by inventor(s) Dr. Marko Markov, Floyd E. Bouldin, C. Douglas Williams, and Rick R. Wascher as described in

X the specification filed herewith.

_____ application serial no. _____ filed _____.

_____ patent no. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

NAME _____

ADDRESS _____

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

[illegible]

NAME OF PERSON SIGNING C. Douglas Williams
TITLE OF PERSON OTHER THAN OWNER President
ADDRESS OF PERSON SIGNING: EMF Therapeutics, Inc.
Four Squares Business Center, 1200 Mountain Creek Road, Suite 160, Chattanooga, TN 37405

SIGNATURE

Date 2-28-01

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST IN INVENTION

As President of the assignee corporation of the entire interest in the application identified as: "METHOD AND APPARATUS FOR DETERMINING BIOLOGICALLY USEFUL FIELD METRICS ASSOCIATED WITH MAGNETIC FIELDS" the specification of which is filed concurrently herewith, do hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number.)

Rick R. Wascher, Registration No. 35,404 or his designee.

Please send all correspondence and direct all communications to:

Rick R. Wascher
111 Laws Road
McMinnville, TN
37110

Telephone: 931-668-4090, ext. 325
Facsimile: 931-815-2741

Assignee:
EMF Therapeutics, Inc.


C. Douglas Williams, President

2-28-01
Date